

## REMARKS

Claims 1 and 3-25 are pending in the application, with Claims 1 and 14 being independent. Claims 1, 4, 9, 13, 14, 21, 23, and 25 have been amended. Support for the amendments is found in the original disclosure.

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections in view of the foregoing amendments and the following remarks.

Applicants also respectfully request that this Amendment After Final be entered. This Amendment was not presented earlier as it was earnestly believed that the claims on file would be found allowable. Given the Examiner's familiarity with the application, Applicants believe that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner. Moreover, Applicants submit that this Amendment places the application in condition for allowance. At the very least, this Amendment places the application in better form for appeal. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

Claims 1 and 3-25 remain rejected under 35 U.S.C. § 102(b) as being anticipated by Kawano et al. (U.S. Patent No. 5,765,824) or Kubo et al. (JP 2003-81517).

In response, while not conceding the propriety of the rejections, independent Claims 1 and 14 have been amended. Applicants submit that as amended, these claims are allowable for the following reasons.

Claim 1 relates to a sheet processing apparatus, comprising sheet staking means, sheet processing means, a sheet holding portion, and sheet conveying means. The sheet stacking means is for stacking sheets. The sheet processing means is for processing the sheets stacked on

the sheet stacking means. The sheet holding portion stores supplied sheets while preceding sheets stacked on the sheet stacking means are processed by the sheet processing means. The sheet conveying means is for conveying the sheets stored in the sheet holding portion to the sheet stacking means. The stored sheets are discharged to the sheet stacking means from the sheet holding portion by the sheet conveying means when a downstream edge in the conveying direction of the last sheet of the sheets to be stored has preceded the downstream edges in the conveying direction of the sheets held in the sheet holding portion by a predetermined amount.

Claim 1 has been amended to recite that the sheet processing means is for processing the sheets stacked on the sheet stacking means with aligned upstream edges, the upstream edge of each sheet being the most upstream portion of each sheet with respect to a conveying direction of the sheets. In addition, Claim 1 has been amended to recite an abutment stopper against which the upstream edges of the supplied sheets abut. Also, Claim 1 has been amended to recite that the supplied sheets are held in the sheet holding portion with their upstream edges aligned by moving the supplied sheets held in the sheet holding portion to abut against the abutment stopper until the last sheet of the sheets to be stored is supplied in the sheet holding portion.

By this arrangement, a sheet holding portion that aligns supplied sheets with an abutment stopper while they are being held to provide sufficient time for preceding sheets to be processed in a sheet stacking means, can discharge the stored sheets to the stacking means without aligning the upstream edge of the last stored sheet with the preceding stored sheets. This type of discharging can reduce the conveying time of the stored sheets, thereby improving processing efficiency, since the last stored sheet need not be aligned with the other stored sheets, as discussed at page 65 of the application. In addition, this type of discharging can produce a

predetermined difference in the positions of the downstream edges of the last stored sheet and the preceding stored sheets. Such a difference can be used by the sheet stacking means to more accurately align the stored sheets discharged from the sheet holding portion to the stacking means by using different rollers positioned at different positions along the sheet stacking means to align the different sheets discharged from the sheet holding portion, as shown in Figures 47A-47D and as discussed at page 65 of the application.

The Office Action identifies the path 19 as corresponding to the claimed sheet holding portion, identifies the intermediate stacker 22 as corresponding to the claimed sheet stacking means, and points out that the intermediate stacker 22 includes a stopper member 31. But, the stopper member 31 is part of the intermediate stacker, not the path 19. Therefore, the Office Action has not yet satisfied its burden of proof to establish that the Kawano et al. patent discloses or suggests the use of an abutment stopper to align sheets held in a sheet holding portion, as recited by amended Claim 1. Rather, Applicants understand this patent to merely disclose the use of rollers to align sheets P2<sub>1</sub> and P2<sub>2</sub>, as discussed at column 7, line 46 through column 8, line 7 of the Kawano et al. patent. More specifically, this passage of the Kawano et al. patent is understood to disclose 1) the use of rollers 1 and 2 to convey the second sheet P2<sub>2</sub> from the first entrance path 18 to the second entry path 17 above the path 18 to be in sliding contact with the first sheet P2<sub>1</sub> stopped via rollers 9, 2) the use of a roller located near the nipping position of a stopped pair of conveyance rollers 21 to contact the second sheet P2<sub>2</sub>, which is then stopped and superimposed on the first sheet P2<sub>1</sub>, and 3) the use of a roller located near the nipping position of a stopped pair of conveyance rollers 8 to contact the leading edge portions of the two sheets, which are then aligned, presumably by this roller.

Thus, the Kawano et al. patent is not understood to disclose or suggest an abutment stopper that aligns sheets held by a sheet holding portion recited by amended Claim 1.

Therefore, the Kawano et al. patent is not understood to disclose or suggest that the supplied sheets are held in the sheet holding portion with their upstream edges aligned by moving the supplied sheets held in the sheet holding portion to abut against the abutment stopper until the last sheet of the sheets to be stored is supplied in the sheet holding portion, as also recited by amended Claim 1.

Moreover, the Kawano et al. patent is not understood to disclose or suggest that the stored sheets are discharged to the sheet stacking means from the sheet holding portion by the sheet conveying means when a downstream edge in the conveying direction of the last sheet of the sheets to be stored has preceded the downstream edges in the conveying direction of the sheets held in the sheet holding portion by a predetermined amount, as also recited by amended Claim 1. Rather, the first and second sheets  $P2_1$  and  $P2_2$  are understood to be superimposed and aligned in the path 19, and are understood to be simultaneously delivered to the intermediate stacker 22, as discussed at column 10, lines 1-5 of the Kawano et al. patent.

Since the Kawano et al. patent is not understood to disclose or suggest at least several features of amended Claim 1, amended Claim 1 is not understood to be anticipated by the Kawano et al. patent. Therefore, Applicants respectfully request that the rejection of independent Claim 1 over this patent be withdrawn. And since amended Claim 14 recites similar features, Applicants submit that it is allowable for similar reasons.

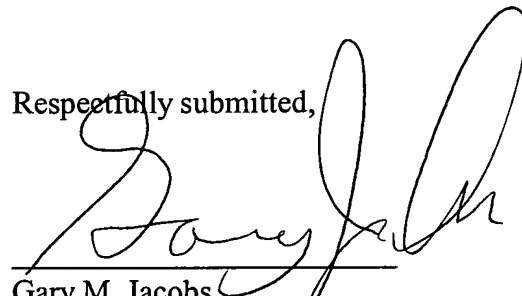
The dependent claims are allowable for the reasons given for the independent claims and because they recite features that are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

Turning to the Kubo et al. patent, Applicants note that its publication date, March 19, 2003, is after the March 7, 2003 priority date for the present application. Therefore, this patent is not a reference against the claims of the present application. For this reason, Applicants respectfully request that the rejection of the claims over this patent be withdrawn.

In view of the above amendments and remarks, the application is now in allowable form and entry of this Amendment is considered proper. Therefore, early passage to issue is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gary M. Jacobs", is written over a horizontal line.

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